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FILED
DISTRICT COURT OF GUAM

SEP 25 2007

JEANNE G. QUINATA
Clerk of Court

5 Attorneys for Defendant
6 **NATHANIEL DIAZ PUNZALAN**

7 **IN THE UNITED STATES DISTRICT COURT**
8 **FOR THE DISTRICT OF GUAM**

9 **UNITED STATES OF AMERICA,**

CRIMINAL CASE NO. 07-00075

11 **Plaintiff,**

12 **vs.**

**MOTION TO WITHDRAW AS COUNSEL
OF RECORD; MEMORANDUM OF
POINTS AND AUTHORITIES**

13 **NATHANIEL DIAZ PUNAZALAN,**

[No oral argument requested]

14 **Defendant.**

15 /

16 **TO: UNITED STATES OF AMERICA, by and through its attorney of record,**
17 **ROSETTA SAN NICOLAS, Assistant U.S. Attorney**

18 **MOTION TO WITHDRAW**

19 COMES NOW Counsel for Defendant NATHANIEL DIAZ PUNZALAN
20 ("PUNZALAN"), pursuant to Rules 1.3 and 1.16 of the Guam Rules of Professional
21 Conduct, Counsel for Defendant PUNZALAN hereby moves this Court to withdraw as
22 counsel of record for Defendant PUNZALAN.
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1 This motion is based on the accompanying Declaration of Counsel and
2 Memorandum of Points and Authorities submitted herewith, the record of the
3 proceedings and papers on file herein.

4 Dated this 25th day of September, 2007.

5 MAHER • YANZA • FLYNN • TIMBLIN, LLP
6 Attorneys for Defendant
7 NATHANIEL DIAZ PUNZALAN

8 By: 

9 LOUIE J. YANZA

10 **MEMORANDUM OF POINTS AND AUTHORITIES**
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12 Rule 1.3 of the Guam Rules of Professional Conduct states:

13 **Diligence.**

14 A lawyer shall act with reasonable diligence and promptness in
15 representing a client.

16 Rule 1.16 of the Guam Rules of Professional Conduct states:

17 **Declining or Terminating Representation.**

18 * * *

19 (b) Except as stated in paragraph (3), a lawyer may withdraw
20 from representing a client if:

21 * * *

22 (7) other good cause for withdrawal exists.

23 G.R.P.R., Rule 1.16(b)(7).
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1 Due to the reasons set forth in the Declaration of Counsel, good cause exists for
2 the withdrawal.

3 **CONCLUSION**

4 The law offices of **MAHER • YANZA • FLYNN • TIMBLIN, LLP** respectfully
5 requests that this Court grant this Motion to Withdraw as Counsel of Record for
6 Defendant PUNZALAN.

7 Respectfully submitted this 25th day of September, 2007.

8 **MAHER • YANZA • FLYNN • TIMBLIN, LLP**
9 Attorneys for Defendant
10 **NATHANIEL DIAZ PUNZALAN**

11 By:

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13 **LOUIE J. YANZA**
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